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Report of the Secretary-General on the situation in the Central African Republic and activities of the United Nations Peace-building Support Office in the Central African Republic (BONUCA)

I. Introduction

1. This report is submitted pursuant to the request of the Security Council contained in a statement made by its President on 26 September 2001 (see S/PRST/2001/25) in which the Council requested me to continue to keep it regularly informed of the activities of the United Nations Peace-building Support Office in the Central African Republic (BONUCA) and the situation in that country.

2. The report covers the period from January to June 2003 and relates the activities of BONUCA and major developments in the Central African Republic in the political, security, military, social and economic spheres, and in the area of human rights, since my last report dated 3 January 2003 (S/2003/5). The report also reviews the situation since the coup d'état of 15 March 2003. Since the latter date, the Secretariat has briefed the members of the Security Council twice. Mr. Tuliameni Kalomoh, Assistant Secretary-General, gave the first briefing on 20 March, followed by a second briefing by General Lamine Cissé, my representative in the Central African Republic, on 17 April.

II. Political situation

3. The period under review was marked principally by the coup d'état of 15 March 2003 of General Francois Bozizé, who overthrew the regime of President Elect Ange Félix Patassé, thereby interrupting the already well-advanced preparations for the national dialogue on which so much hope was placed.

4. The coordinators of the dialogue, appointed by President Patassé at the end of December 2002, had met all the parties involved, from both within and without the country, in January and February 2003. A first phase of the dialogue was even announced in Rome under the auspices of the Sant'Egidio Catholic Community.

5. The importance of the national dialogue for the future of the Central African Republic seems not to have been overlooked by the new authorities, which have pledged to organize it during the period of transition.

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6. I firmly condemned the assumption of power by non-constitutional means in a press release of 17 March 2003 (SG/SSSM/8637/AFR/584). The members of the Council will recall that they too condemned it, in the same terms, through the statement of their President on 20 March 2003 (SC/7700/AFR/588).

7. The new authorities have stated that the interruption in the democratic process is temporary and is designed to enable the conditions for a return to genuine democracy to be established. To this end, they have opted for management by consensus of the period in transition, with the involvement of every political opinion and the other actors of civil society. They envisage a period of transition which would last less than 22 months, the return to constitutional legality being planned for January 2005.

8. The holding of elections is scheduled for the second half of 2004, in accordance with the terms of the statement of the President of the Security Council of 17 April 2003 (SC/7736/AFR/607), in which the members of the Council expressed the hope that elections would be held as soon as possible. The authorities, however, make the fulfilment of this commitment conditional upon substantial assistance from the international community for the restoration of security in the country and the improvement of the economic situation.

9. For the time being, institutional arrangements for the transition are in place: a 28-member Government representing all political opinions (including the Mouvement de Libération du Peuple Centrafricain (MLPC), the party of President Patassé) and even involving the trade unions; and a National Transition Council, which is a consultative body whose membership includes political actors and civil society organizations.

10. General Bozizé has issued an order amnestying those responsible for the attempted coup d'état of 28 May 2001, including ex-President André Kolingba, said to be the instigator of the abortive coup. This act, which is in keeping with his proclaimed concern for national reconciliation, induced many Central Africans in exile or seeking refuge abroad to return to their country. Likewise, the members of the military (numbering approximately one thousand), who had fled in the wake of the failed putsch of 28 May 2001, began one by one to be reintegrated in the army, in accordance with article 3 of the amnesty order. Lastly, ex-President Kolingba, who had been demoted to private after the attempted coup, saw his rank restored to that of Army General on 19 May 2003.

11. General Bozizé has stated that he will not be a candidate in the next presidential election, thereby bringing relative calm to the transition process.

III. Security and military situation

12. The security and military situation remains characterized by lack of security, both before and after the coup d'état of 15 March 2003. The security situation is still not fully under control either in Bangui or in the interior. During the initial days following the coup, Chadian troops brought in as reinforcement helped to put an end to the looting in the capital city and to carry out vigorous disarmament operations there. Since then, however, lack of security has held sway in Bangui, with numerous auto thefts and some acts of armed violence. The situation appears to be little better in the interior of the country, where the administrative authorities are still not in

place and where ambushes and other road-blocking activities on the main highways are reported. The renewed insecurity is encouraged by the proliferation of weapons and the pauperization of the people.

13. The Multinational Force of the Central African Economic and Monetary Community (CEMAC) (380 men), in which the Gabonese and Congolese contingents (139 and 120 men, respectively) have just been joined by Chadian elements (121 men), has resumed its patrol and monitoring operations in the capital, pending the introduction of its other function, which is to make the country safe. The special CEMAC summit in Libreville on 3 June 2003 adopted a new mandate for the Force, expanding its duties. The French troops (300 men), who arrived the day after the coup d'état, provide protection for Bangui airport, having evacuated foreign nationals following 15 March 2003.

14. Control of the security situation in the Republic remains the prerequisite for the normal functioning of the State, the resumption of economic activities, a smooth transition and ensuring the transparency and fairness of the next elections. The restoration of security requires the long-awaited restructuring of the defence and security forces and systematic disarmament in Bangui and the provinces. The new authorities have made this the top priority of their programme. They have begun the reorganization of the armed forces, creating new battalions (including an amphibious battalion to monitor the river border) and introducing new military regions and appointments and promotions at the level of the High Command.

15. I appeal once again to the generosity of the donors to provide effective support for the Government in its efforts, without which the return to constitutional order and a lasting peace in the Central African Republic will be difficult.

16. The BONUCA military team continued its assistance and advisory activities, together with evaluation and disarmament. It participated in the evaluation mission conducted by the agencies of the United Nations system in the localities of Damara and Sibut (70 km and 180 km to the north of Bangui, respectively) after the loyalist forces retook them in February 2003. It also took part in the work of the commission set up to return the property looted at the time of the coup d'état. The military team will continue to monitor the activities carried out within the framework of the National Programme for Demobilization and Reintegration (PNDR). It will soon provide training in peacekeeping operations and disarmament, demobilization and reintegration for elements of the CEMAC Force.

17. The BONUCA civilian police team continued to monitor the security situation in the country. It also participated in the commission for the return of looted property. Lastly, it continued its training activities for the Central African police and gendarmerie by organizing courses on the maintenance of order, the judicial police, road traffic, and investigation techniques, for 115 gendarmes and police officials.

IV. Economic and social situation

18. The Central African economy, which was already extremely fragile because of repeated political-military troubles, is today in a state of complete collapse. Owing to the lack of cooperation programmes of any kind with the Bretton Woods institutions, the State has been without budgetary support since January 2001, with the exception of Chinese assistance in the amount of $20 million, which it has just

received. With a view to exploring ways of finalizing an agreement with the International Monetary Fund (IMF), a meeting with the principal donors was convened in Paris on 7 March 2003 to discuss the specific problem of the settlement of the Central African Republic's debt to the African Development Bank (ADB). The meeting decided on the possibility of a post-conflict programme. In this context, France reaffirmed its willingness to provide special assistance to the Republic upon initiation of the national dialogue.

19. From the time they took power, the new Central African authorities have stated their desire to resume discussions with the Bretton Woods institutions in order to conclude a post-conflict programme. The special summit of the CEMAC Heads of State, held in Brazzaville on 21 March 2003, likewise requested those institutions to provide support to the Central African Republic. The need for assistance has become all the more pressing because the large-scale looting and vandalism in the wake of the coup d'état not only wiped out the State infrastructure and facilities (public buildings, offices, information systems, archives, records, vehicles) but also snuffed out the remaining economic and industrial activity of the country. Urgent targeted action is required to restore the basic administrative structures, which were destroyed at the time of the coup d'état of 15 March.

20. In the quest for external assistance, the new Prime Minister visited Paris and Brussels last May to discuss the Republic's situation with French and European Union officials. The new Government has drawn up, by way of a guidelines and strategy document, an emergency economic and social recovery programme. At the humanitarian level, an urgent appeal, in the amount of approximately $9.5 million, focused on the health and food security sectors, was launched with the help of the United Nations system.

21. The Government seems determined to establish rigorous management and to provide the public sector with the necessary resources for it to operate. Accordingly, after creating a Ministry of Good Governance, the new authorities decided to introduce order into the timber and diamond operations, which represent the country's two principal sources of wealth. Similarly, members of the Government and those in charge of State-owned financial agencies now are obliged to declare their assets when they take up their posts.

22. The Government has made the issue of salaries, scholarships and pensions its highest priority. The social tension, which has been simmering over the past few years, seems to be subsiding gradually. Indeed, the trade unions and retirees have expressed unqualified support for General Bozizé. The workers' representatives are even involved in the management by consensus of the transition period, with a teacher who is a union leader being appointed Civil Service Minister.

23. The Government has finished paying the salaries of civilian public servants for April 2001, the police for July 2001 and the army for August 2001. It paid the salaries of all public servants for April and May 2003 on time and without any discrimination. The special assistance of CFA francs 5 billion granted to the Central African Republic on 3 June 2003 by the CEMAC member States will, in addition to national resources, permit the payment of a further two months of salaries. The arrears (35 months of salaries for the majority of civil servants, 10 quarters of pensions for retirees and 24 months of scholarships) will be paid gradually when the State's financial situation so permits.

24. As a result of this new situation, for the first time in well over 10 years, workers celebrated international labour day with great pomp on 1 May 2003. Teachers in the public sector, who had been on strike since the beginning of the academic year in October 2002, went back to work on 2 May 2003 and the calendar for the academic year was rescheduled accordingly.

V. Human rights situation

25. Since my last report, the overall human rights situation has deteriorated due to incidents between the rebels and loyalist forces prior to the coup d'état and atrocities committed by the so-called patriotic forces or "liberators" (composed of Chadians and Central Africans) after the coup d'état. The recapture in February 2003 by the Government army (supported by Jean-Pierre Bemba's soldiers) of then rebel-held towns had generally triggered serious violations of human rights and humanitarian law: looting, summary executions, rape, forced disappearances, inhuman, cruel and degrading treatment, enrolment of young people.

26. After the coup d'état of 15 March 2003, there was widespread looting in Bangui by General Bozizé's "patriots" as well as by other soldiers and civilians. The targets of such looting were the residences of former authorities (Head of State, Prime Minister, Speaker of the Parliament, ministers), ministries (including the office of the Prime Minister) and utilities, offices of some United Nations agencies (World Health Organization, World Food Programme), residences of United Nations personnel (including those of the representatives of the United Nations Children's Fund and Office of the United Nations High Commissioner for Refugees and five staff members of BONUCA), and some diplomatic and consular missions. Hundreds of vehicles belonging to the Government, companies and individuals were also stolen.

27. The climate of insecurity and fear of reprisals led the former authorities to seek refuge in foreign embassies, including the French Embassy, where former Prime Minister Ziguélé, who now has the status of a political refugee, still is until this day. Many cases of atrocities committed by the "patriots" or "liberators" continue to be reported in Bangui. As part of their efforts to protect people and safeguard property, the authorities have launched joint security operations in the capital conducted by the Central African armed forces, the CEMAC force and the French forces .

28. Following the amnesty order signed on 23 April 2003 by General Bozizé, many Central Africans in exile or seeking refuge abroad returned to the country. On 20 May 2003, the authorities set up a national committee for the reception and reintegration of returnees, including the return of the 20 May 2001 refugees, who are in the Democratic Republic of the Congo and the Republic of the Congo. The latter began returning to Bangui on 9 June 2003.

29. The new Central African authorities have affirmed their commitment to the respect of human rights despite the exceptional situation the country is facing following the suspension of the Constitution. That commitment has been reflected in article 6 of the Constitutional Act of 15 March 2003 on the provisional organization of the powers of the Government. The establishment of a Ministry of Justice, Human Rights and Good Governance is also encouraging.

30. In addition to its task of observing and investigating human rights violations, BONUCA is continuing its activities with respect to national capacity-building in the area of promotion and protection of human rights. A training seminar for members of the national report writing committee was organized from 10 to 14 December 2002. Furthermore, the decentralization of training programmes in human rights and humanitarian law for law enforcement officials is continuing. Thus, from 22 April to 9 May 2003, phase eight of such training was conducted at Mbaiki, 100 km. to the south-west of Bangui.

31. During the period under review, the human rights section of BONUCA revised the Criminal Code and the Code of Criminal Procedure with the assistance of national consultants. A validation seminar to be held in June 2003 will also adopt a national human rights plan for the Central African Republic.

32. The information unit of BONUCA continued its human rights dissemination activities thanks in particular to its partnership with local radio stations. In addition it tried, mainly through the production of a documentary film on institutions in May 2003, to raise the profile of the Office's activities. Lastly, it continued its assistance to the Central African media through the organization of a training course for journalists on political analysis and its partnership with journalists' organizations.

VI. Observations

33. Three months after the coup d'état of 15 March 2003, the overall situation in the Central African Republic is being brought under control with considerable difficulty. The security situation remains fragile. While the situation has improved somewhat in the capital, there is still insecurity along the highways and even in the towns. The restoration of security still remains the top priority for the new authorities. As I noted earlier, the restoration of security remains the prerequisite for a smooth transition and the holding of future elections in the best possible conditions.

34. On that score, BONUCA will contribute to the programme for the restructuring of the Central African defence and security forces. That is why, in addition to the restructuring programme, the Office will monitor developments in the security situation in the country, efforts to make the country safe and the disarmament, demobilization and reintegration programme. The implementation of the armed forces restructuring programme requires urgent and substantial technical and financial support from the partners. I once again urge the international community to provide generous assistance for this priority programme and promote the conclusion of an agreement on a post-conflict programme between the Central African Republic and the Bretton Woods institutions, once the new government announces and implements the calendar for the transition period.

35. The authorities envisage a return to constitutional legality in January 2005. If that commitment is honoured, the period of transition would last less than 22 months. The national dialogue would be organized during this year, 2003. The constitutional referendum would be conducted in the first half of 2004, while general elections (presidential, legislative and municipal) would be organized in the second half of 2004. On the basis of this calendar submitted to them by General Bozizé, the CEMAC Heads of State officially recognized the new regime of the

Central African Republic at the end of their special summit held in Libreville on 3 June 2003.

36. However, the considerable needs of the Central African State caused by the extensive destruction of public property in the wake of the coup d'état should be taken into account. I therefore appeal to all partners to provide effective support to the Central African Republic as it prepares for the forthcoming general elections by assisting, inter alia, with the drafting of the new constitution and the new electoral code and the return of all refugees and displaced persons prior to conducting the census in order to ensure the holding of fair elections in a climate of peace.

37. In the country's current situation, the United Nations could provide support for the ongoing process until constitutional order is restored by temporarily adjusting the programmes of its agencies presently operating in the country. The international community's support remains crucial to successfully completing the transition period and possibly making it shorter. The United Nations system will continue to encourage the authorities to ensure respect for the human rights of all Central Africans irrespective of their ethnic background or political affiliation.

38. The chronic instability of the Central African Republic, aggravated by the latest coup d'état, has generated new challenges for BONUCA. Although there will be no fundamental change in the mandate of the Office, its activities will be adjusted in the light of the requirements of the new situation in the Central African Republic.

39. Lastly, I would like to pay a well-earned tribute to my Representative, General Lamine Cissé, as well as to the staff of the United Nations system for their demonstrated devotion and courage during this particularly difficult and trying time as they discharge their duties.